

Senate Amendment 3279

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1 1 Amend Senate File 521 as follows:
1 2 ~~#1.~~ By striking everything after the enacting
1 3 clause and inserting the following:
1 4 <Section 1. Section 600.3, Code 2007, is amended
1 5 by adding the following new subsection:
1 6 NEW SUBSECTION. 4. An adoption petition shall be
1 7 limited to the adoption of one natural person.
1 8 Sec. 2. Section 602.8103, subsection 4, Code 2007,
1 9 is amended by adding the following new paragraph:
1 10 NEW PARAGRAPH. k. Complaints, trial informations,
1 11 and uniform citations and complaints relating to
1 12 parking violations under sections 321.236, 321.239,
1 13 321.358, 321.360, and 321.361, one year after final
1 14 disposition.
1 15 Sec. 3. Section 602.8105, subsection 1, paragraph
1 16 a, Code 2007, is amended to read as follows:
1 17 a. For filing and docketing a petition, other than
1 18 a modification of a dissolution decree to which a
1 19 written stipulation is attached at the time of filing
1 20 containing the agreement of the parties to the terms
1 21 of modification, one hundred dollars. In counties
1 22 having a population of ninety-eight thousand or over,
1 23 an additional five dollars shall be charged and
1 24 collected to be known as the journal publication fee
1 25 and used for the purposes provided for in section
1 26 618.13. For multiple adoption petitions filed at the
1 27 same time by the same petitioner under section 600.3,
1 28 the filing fee and any court costs for any petition
1 29 filed in addition to the first petition filed are
1 30 waived.
1 31 Sec. 4. Section 617.10, Code 2007, is amended to
1 32 read as follows:
1 33 617.10 REAL ESTATE == ACTION INDEXED.
1 34 1. When a petition affecting real estate is filed,
1 35 the clerk of the district court where the petition is
1 36 filed shall forthwith index same the petition in an
1 37 index book to be provided therefor, under the tract
1 38 number which describes the property, entering in each
1 39 instance the cause case number as a guide to the
1 40 record of court proceedings which affect such the real
1 41 estate. If the petition be is amended to include
1 42 other parties or other lands, same the amended
1 43 petition shall be similarly indexed. When the cause
1 44 is finally a final result is determined in the case,
1 45 the result shall be indicated in said the index book
1 46 wherever indexed.
1 47 2. As used in this section, "book" means any mode
1 48 of permanent recording, including but not limited to
1 49 card files, microfilm, microfiche, and electronic
1 50 records.
2 1 Sec. 5. Section 654.17, Code 2007, is amended to
2 2 read as follows:
2 3 654.17 RECISSION OF FORECLOSURE.
2 4 1. At any time prior to the recording of the
2 5 sheriff's deed, and before the mortgagee's rights
2 6 become unenforceable by operation of the statute of
2 7 limitations, the judgment creditor, or the judgment
2 8 creditor who is the successful bidder at the sheriff's
2 9 sale, with the written consent of the mortgagor may
2 10 rescind the foreclosure action by filing a notice of
2 11 recision with the clerk of court in the county in
2 12 which the property is located along with a filing fee
2 13 of fifty dollars. In addition, such person if the
2 14 original loan documents are contained in the court
2 15 file, the mortgagee shall pay a fee of twenty-five
2 16 dollars for documents filed in the foreclosure action
2 17 which the plaintiff requests returned to the clerk of
2 18 the district court. Upon the payment of the fee, the
2 19 clerk shall make copies of the original loan documents
2 20 for the court file, and return the original loan
2 21 documents to the mortgagee.
2 22 2. Upon the filing of the notice of recision, the
2 23 mortgage loan shall be enforceable according to the
2 24 original terms of the foreclosure and the rights of

2 25 all persons with an interest in the property may be
2 26 enforced as if the foreclosure had not been filed.
2 27 However, any findings of fact or law shall be
2 28 preclusive for purposes of any future action unless
2 29 the court, upon hearing, rules otherwise. The
2 30 mortgagor shall be assessed costs, including
2 31 reasonable attorney fees, of foreclosure and rescision
2 32 if provided by the mortgage agreement.
2 33 Sec. 6. Section 674.11, Code 2007, is repealed.>
2 34 #2. Title page, by striking lines 1 through 5 and
2 35 inserting the following: <An Act relating to judicial
2 36 branch practices and procedures including but not
2 37 limited to adoption petitions, clerk of the district
2 38 court duties, and recordkeeping affecting real estate
2 39 and change of name records.>
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2 43 TOM HANCOCK
2 44 SF 521.201 82
2 45 jm/es/8768